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Application No. 10/654,943
Response to Notice to File Missing Parts
Dated: 11/25/03

DOCKET NO: 242501US2

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

CHRISTOPHER DEAN, ET AL. : EXAMINER: UNASSIGNED
SERIAL NO: 10/654,943 :
FILED: SEPTEMBER 5, 2003 : GROUP ART UNIT: 2123
FOR: ADAPTABLE RESOURCE MODEL

02/02/2004 EFLORES 00000048 10654943

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130.00 OP

PETITION UNDER 37 C.F.R. § 1.47(a)

Applicants hereby petition the United States Patent and Trademark Office (hereinafter "USPTO") under 37 CFR §1.47(a) to accept the Declaration and Power of Attorney for Patent Application 10/654,943 and consider the new application filed by the signing inventors (i.e., Mr. Christopher Dean, Mr. Stephen Mason, Mr. Cyril Soga, Mr. Julien Brainerd, Mr. Alain Lemoine, Mr. Ed Maciver and Mr. Dmytro Toptygin) as having been filed on behalf of themselves and their joint inventor (i.e., Mr. David Cuillerier) who "cannot be found or reached after diligent effort" to preserve the rights of the Assignee, EFTIA OSS Solutions, Inc.

As set forth in Exhibits A, B, C, and D attached hereto, significant efforts were made to contact Mr. Cuillerier. Exhibit A, signed by Linda Gorman, an EFTIA employee, includes Mr. Cuillerier's last known address and phone number and a list of steps taken to reach Mr. Cuillerier. Ms. Gorman indicates that Mr. Cuillerier's last known phone number is no longer in service. Further, Ms. Gorman indicates that a courier, UPS, was unable to deliver a package addressed to Mr. Cuillerier at his last known address, because he had moved. Exhibit B includes an internet tracking report for this package, and Exhibit C includes a photocopy of the shipping label that indicates the package was returned to shipper, stating as the reason, "Receiver Moved." In addition, Ms. Gorman indicates that she attempted to

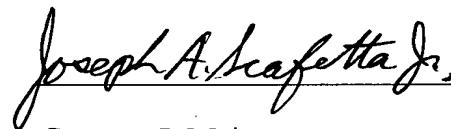
Application No. 10/654,943
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contact Mr. Cuillerier using email, but received no response. In addition, Ms. Gorman indicates that she spoke with the father of Mr. Cuillerier, "who was going to give David the message to contact Eftia," but she did not receive a call. Ms. Gorman also indicates that she called Mr. Cuillerier's father again, but he did not answer and she left a voice message. Finally, Ms. Gorman indicates that she searched for Mr. Cuillerier using Canada411.com, an internet search and phone directory service, but after making several calls to those listed as "D. Cuillerier," was unable to find Mr. David Cuillerier. Exhibit D includes a printout of a Canada411.com display with a listing of phone numbers for "D Cuillerier."

Accordingly, Applicants request that the already filed Declaration and Power of Attorney signed by Mr. Christopher Dean, Mr. Stephen Mason, Mr. Cyril Soga, Mr. Julien Brainerd, Mr. Alain Lemoine, Mr. Ed Maciver and Mr. Dmytro Toptygin be accepted on behalf of themselves and the unavailable inventor Mr. David Cuillerier, who cannot be found after diligent effort by the Assignee as outlined above and noted in the attached exhibits.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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GJM:RFC:ZSS:dnf
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eftia

150 Isabella Street
Suite 900
Ottawa, Ontario
K1S 1V7

January 13, 2004

Search for David Cuillerier

**Last known address: 171 Lees Avenue, Apt 1611
Ottawa, ON K1S 5P3**

Last known phone number: 613-234-3227

-phone number no longer in service

-courier unable to deliver, moved

-provided email addresses from colleagues, received no response

-spoke with father, who was going to give David the message to contact Eftia, never received a call back. Called father again no answer and left a voice message

-searched Canada411, made several calls to D Cuillerier, no David

Still continuing the search for David Cuillerier

Sincerely,



Linda Gorman
Tel: 613-564-4407 x2579
Fax: 613-368-3872

[Home](#) | [About UPS](#) | [Contact UPS](#)**Tracking**

- [Track by Tracking Number](#)
- [Track by Reference Number](#)
- [Import Tracking Numbers](#)
- [Track by E-mail](#)
- [Get Quantum View Files](#)
- [Void a Shipment](#)
- [Help](#)

Log-In User ID: Password: | [Forgot Password](#)[Reg](#)**Track by Tracking Number****View Details**

Status: Exception
Shipped to: OTTAWA, ON, CA
Shipped or Billed on: 27 Oct 2003

Tracking Number: 1Z 05X 19X DA 7431 844 5
Service Type: EXPRESS SAVER

Package Progress:

28 Oct 2003	11:33	OTTAWA, ON, CA	RECEIVER MOVED, NOT DELIV
	3:00	OTTAWA, ON, CA	OUT FOR DELIVERY
	2:00	OTTAWA, ON, CA	ARRIVAL SCAN

Tracking results provided by UPS: 28 Oct 2003 15:29 Eastern Time

NOTICE: UPS authorizes you to use UPS tracking systems solely to track shipments tendered by or for you to delivery and for no other purpose. Any other use of UPS tracking systems and information is strictly prohibited.

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United Parcel Service

Daily Manifest Customer Copy

Page : 1

EFTIA OSS SOLUTIONS
 150 ISABELLA ST
 FLOOR: 9TH
 OTTAWA, ON, K1S1V7
 Domestic Shipments

UPS SHIPPER NUMBER:
 PICK UP RECORD #:
 DATE SHIPPED:

05X19X
 4461089010
 27/OCT/2003

EDI

Reference	Consignee Information	Service	Postal Code	Zone	Weight	Published Charge	Incutive Credit	Billed Charge
LINDA	DAVID CUILLERIER 171 LEES AVE, APT 1811 OTTAWA, ON, K1S 5P3 CA	Express Saver Delivery Confirmation	K1S 5P3	500	0	8.80 2.75		8.80 2.75
Payment Type P/P Bill to Account Bill to Company		Total:				11.35		11.35
PACKAGES	Tracking Number	Delivery Confirmation		Weight	COD Amount	Declared Value		
	1Z05X19XDA74318445	Adult Signature Required		0				
		Total:	1 Package(s)		11.35			11.35

~~CONTROL NUMBER
4089-P028-0008~~

~~CUILLERIER D.~~

Call 1-800-PICK-UPS (1-800-742-5877) r visi
Appelez le 1-800-742-5877 ou naviguez sur notre si

Ir address lab
at or below the address label.
or above the address label.
um nt

Aposez les étiquettes dans cet espace

Options : Étiquette de suivi UPS et étiquette d'adresse

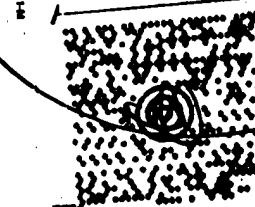
Aposez l'étiquette de suiv à la gauche de l'étiquette d'adresse.
Inscrivez votre numéro de compte UPS à l'aide d'un tampon-encreur
au-dessus de l'étiquette d'adresse.

2. Formulaire d'expédition pour le service UPS Express
3. Connaissement UPS

LINDA GORMAN
EFTIA OSS SOLUTIONS
PHONE: 613-564-4407
150 ISABELLA ST
FLOOR: 9TH
OTTAWA ON K1G1V7

**RETURN TO SHIPPER
RETURN TO SHIPPER**

**REASON FOR RETURN:
RECEIVER MOVED, NOT DELIVERED
ORIGINAL RECEIVER:
CUILLERIER, D**



(420) SHIP TO POSTAL CODE

(420) K1S-1V7

TRACKING #: 1Z 05X 19X DA 7431 8445



BILLING: P/P
ADULT SIGNATURE REQUIRED - MIN 18



**SIGNATURE D'UN ADULTE REQUISE
ADULT SIGNATURE REQUIRED**

CEX 6.0.0.0 82442 21.08 01/2003

.ca

Search My Sympatico.ca Home

Home Page > Canada411 > Find a Person > Results

Canada 411™

The Phone Directory for Everyone

Find a person**Total Found: 11**[Refine Search](#) [Start Over](#) [FAQs](#) [Search Tips](#)

Name (click for details)	Address	City	Prov.	Phone
Cuillerier, Den ^o	249 rue Shamrock	Pincourt	QC	(514) 453-1275
Cuillerier, D ^{No}	83 Ch Napoleon	Val-des-Monts	QC	(819) 457-4289
Cuillerier, D ^{No}	2760 Lansdale Ave	North Vancouver	BC	(604) 988-0335
Cuillerier, D ^{No}	8669 rue Rejane	Lasalle	QC	(514) 363-0066
Cuillerier, D ^{No}		Brooks	AB	(403) 501-0031
Cuillerier, D ^{No}	6585 32Av	Rsmt	QC	(514) 376-9037
Cuillerier, D ^{No}	195 av 43E RR 1	Sainte-Barbe	QC	(450) 371-5098
Cuillerier, Dan	4986 Portage Rd	Niagara Falls	ON	(905) 357-6480
Cuillerier, Daniel	38 Muskoka Crt	London	ON	(519) 858-2242
Cuillerier, Daniel	8901 rue Marcel-Cadieux	Montreal	QC	(514) 384-0866
Cuillerier, Donald	RR 5	Lucknow	ON	(519) 395-2294

How
you,
a trip
with**Step 1: Enter person's name**

Hint: Use full or partial name. First name optional.

LAST: CUILLERIER

FIRST: D



Expect

Step 2: Enter person's location

Hint: Adding location will improve your search results

CITY/TOWN:
(optional)

PROVINCE: Search All

Step 3:[FAQs](#) [Search Tips](#)Use of the information in Canada411 for commercial or illegal purposes is strictly prohibited.
See terms of use.